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12 **UNITED STATES DISTRICT COURT**

13 **DISTRICT OF NEVADA**

14 KOIN MOBILE, LLC, a Nevada limited
 15 liability company,

16 Plaintiff,

17 v.
 18 EVERI HOLDINGS INC., f/k/a Global Cash
 Access Holdings, Inc., a Delaware
 19 Corporation, and EVERI PAYMENTS INC.,
 f/k/a Global Cash Access, Inc., a Delaware
 20 Corporation,

21 Defendants.

22
CASE NO.: 3:24-cv-00178-ART-CSD

23
**STIPULATION AND ORDER TO STAY
 CASE PENDING SETTLEMENT
 DISCUSSIONS**

24 Plaintiff Koin Mobile, LLC, and Defendants Everi Holdings, Inc., and Everi Payments
 25 Inc. (collectively, the “Parties”), by and through their respective undersigned counsel, file this
 26 Stipulation to Stay Case Pending Settlement Discussions, and state the following:

27 1. In the related state court matter, *Everi Payments, Inc. v. Strategic Gaming*
 28 *Management, LLC, et al.*, Case No. CV23-01538 (2d J.D. Nev.), the State Court parties,

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1 including Plaintiff and Defendants, were ordered to participate in a settlement conference
2 regarding a narrow issue. On January 28, 2025, the State Court parties engaged in a settlement
3 conference with Retired Nevada Supreme Court Justice Hardesty and agreed to continue
4 discussions regarding a global resolution of this action and the state court action.

5 2. The Parties have agreed to stay this matter in its entirety to further settlement
6 discussions and to not incur additional legal expenses during such discussions.

7 3. Accordingly, the Parties agree and stipulate as follows:

- 8 a. This case shall be stayed in its entirety for 90 days from the date that the
9 Court approves this Stipulation. The Parties agree that the deadlines in the
10 Amended Scheduling Order (ECF No. 44) shall be suspended.
- 11 b. The Parties may jointly request that the stay be lifted before the 90-day
12 period expires if the Parties agree that settlement is not achievable.
- 13 c. The Parties agree that, pursuant to the Court's Chamber Practices,
14 Defendants' Motion to Dismiss (ECF No. 31) will be denied without
15 prejudice. If the stay is lifted, any party may move to reinstate
16 Defendants' Motion to Dismiss (ECF No. 31).
- 17 d. Upon the expiration of the 90 days, or sooner if the Parties jointly request
18 that the stay be lifted, the Parties shall file a joint report indicating the
19 status of settlement negotiations and a proposal for how this action should
20 proceed, including with respect to Defendants' Motion to Dismiss (ECF
21 No. 31).
- 22 e. The Parties agree that if a resolution is reached that they will inform the
23 Court immediately.

24 4. This is the Parties' first Stipulation seeking a stay of this matter. The Parties
25 certify that this Stipulation is made in good faith and not intended for purposes of delay.

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1 Dated: February 13, 2025

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1 Dated: February 13, 2025

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31 *Attorneys for Defendants*32 **IT IS SO ORDERED:**33

 UNITED STATES DISTRICT JUDGE

34 Dated: _____

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